

EXHIBIT A

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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

TALEISHA LEWIS,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 6:19-cv-00630-ADA-JCM
	§	
TITLEMAX OF TEXAS, INC., IVY	§	
FUNDING, LLC, PLATE RECON, LLC	§	
dba PLATE LOCATE, and FCAR, LLC	§	
dba FIRST CALL AUTO RECOVERY	§	
& TOWING,	§	
	§	
Defendants.	§	
	§	

DECLARATION OF JOSE URBAEZ COTTO

I, Jose Urbaez Cotto, declare as follows under penalty of perjury:

1. I am over twenty-one (21) years of age and a resident of Georgia. I am the Compliance Manager at TMX Finance Corporate Services, Inc., a corporate affiliate with knowledge of defendant TitleMax of Texas, Inc.'s ("TitleMax") business. I have been employed with the company in a compliance role for approximately seven years.

2. By virtue of my position, I have knowledge of the facts set forth in this Declaration, either personally or through a review of TitleMax's business records, made and kept in the regular course of TitleMax's business by those whose regular job function it is to make and keep such records, and, therefore, I could testify competently to those facts if called upon to do so as a witness.

3. Attached as Exhibit 1 to this declaration is a true and correct redacted excerpt¹ of the Agreement for Recovery and Location Services that governed the relationship between TitleMax and defendant Plate Recon, LLC dba Plate Locate (“Plate Locate”) dated June 15, 2018. This agreement was in effect on, without limitation, July 25, 2019.

4. Attached as Exhibit 2 to this declaration is a true and correct redacted March 18, 2017 Application for Texas Title and/or Registration and Additional Lien Statements submitted to the Texas Department of Motor Vehicles by Shaunte Duncan (the “Borrower”).

5. TitleMax never instructed Plate Locate or defendant FCAR, LLC dba First Call Auto Recovery & Towing on how to perform any location or recovery services.

6. I declare under penalty of perjury that the foregoing facts are true and correct

Dated: January 7, 2021


JOSE URBAEZ COTTO

¹ The agreement has been redacted and excerpted to avoid public disclosure of sensitive and confidential terms that have no relevance to the Motion. The full agreement has been disclosed as confidential in this case.

**EXHIBIT 1 TO
DECLARATION OF JOSE URBAEZ COTTO**

TitleMax/Plate Locate Agreement for Recovery and Location Services

**EXHIBIT 2 TO
DECLARATION OF JOSE URBAEZ COTTO**

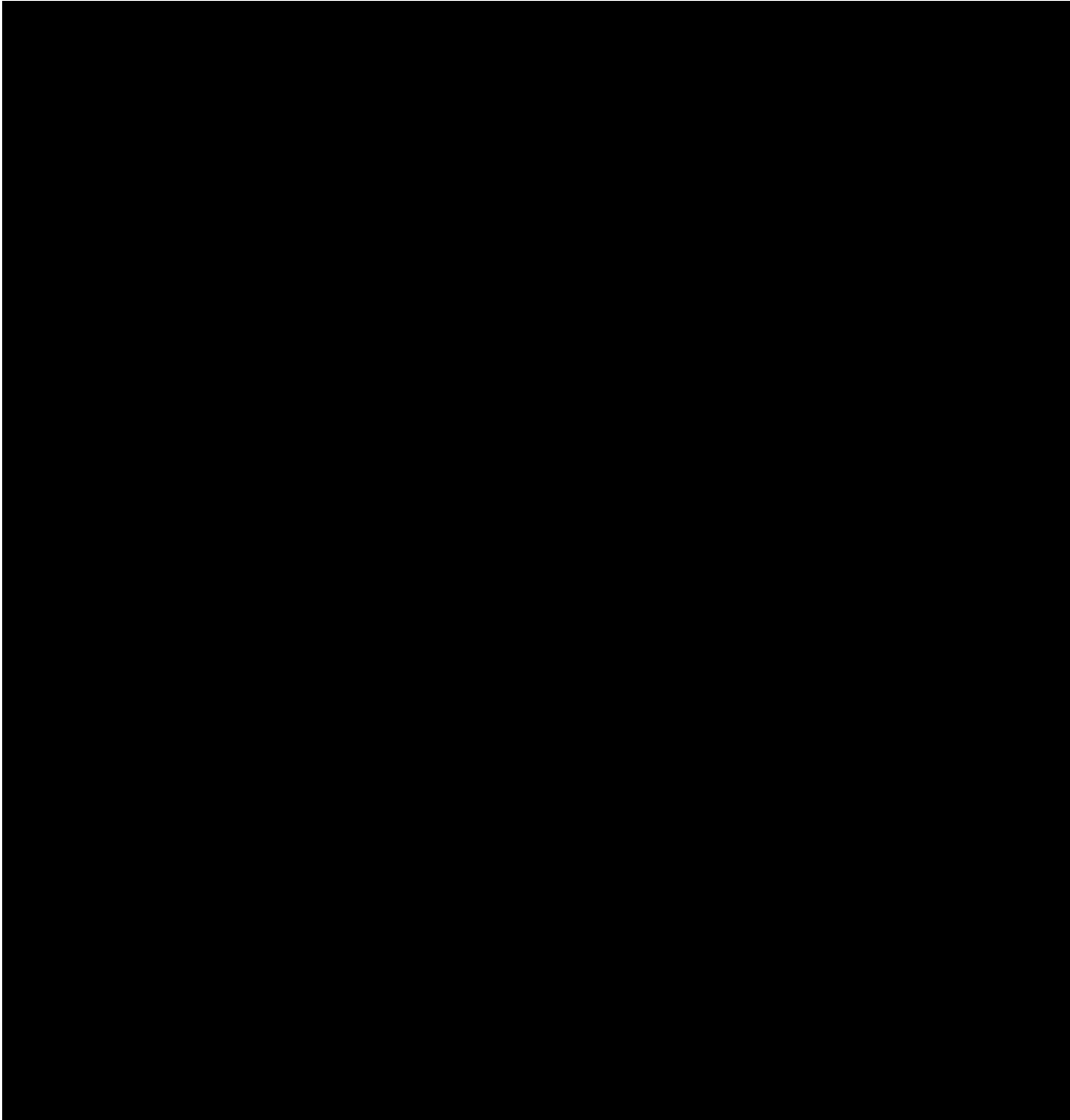
Application for Texas Title and/or Registration and Additional Lien Statements

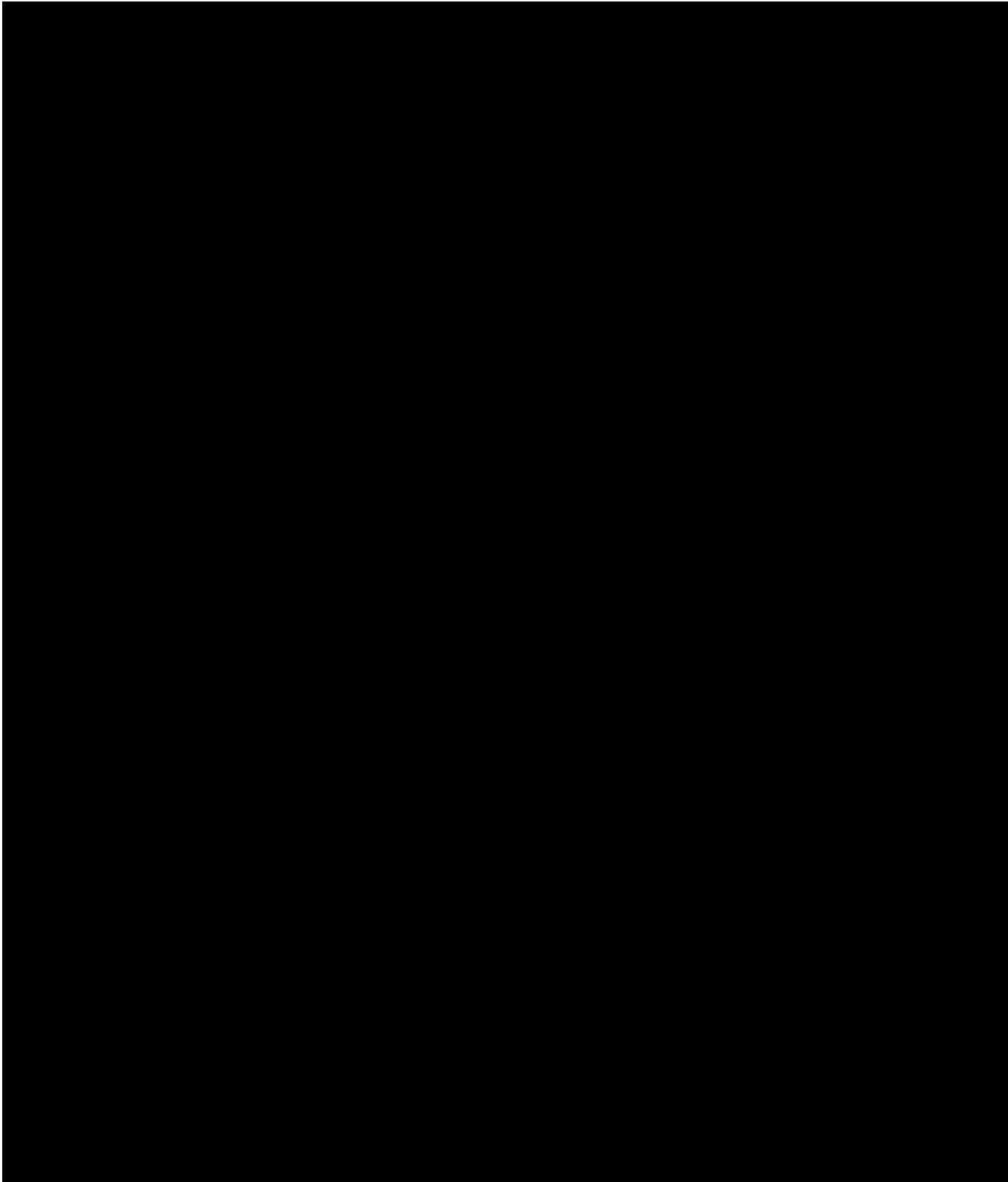
EXHIBIT 1

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AGREEMENT FOR RECOVERY AND LOCATION SERVICES

THIS AGREEMENT FOR RECOVERY SERVICES (this "Agreement") is entered into this 15th day of June, 2018 by and between the TitleMax of Georgia, Inc. (the "Company"), whose corporate office is located at 15 Bull Street, Suite 200, Savannah, GA 31401, and, Plate Recon, LLC dba Plate Locate, a limited liability company, whose principal office is located at 23820 Lenze Road, Spring, TX 77389 ("Vendor"). Vendor and Company may be referred to individually as "Party" or collectively as "Parties."



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14. **Relationship of the Parties.** Company and Vendor each acknowledge that they are independent contractors. Nothing in this Agreement will create any partnership, joint venture, agency, franchise, sales representative, or employment relationship between the Parties. No Party will have the authority to make or accept any offers or representations on the other Party's behalf.

IN WITNESS WHEREOF, the Parties hereby have caused their duly authorized representatives to enter into this Agreement effective as of the date first stated above.

COMPANY:

TitleMax of Georgia, Inc.

By: Name: Otto BielsTitle: President

VENDOR:

Plate Recon, LLC dba Plate Locate

By: Name: Jeremy GonskeTitle: CEO

EXHIBIT 2

EXHIBIT 2

Application for Texas Title and/or Registration

Applying for (please check one): <input type="checkbox"/> Title & Registration <input type="checkbox"/> Title Only <input type="checkbox"/> Registration Purposes Only <input type="checkbox"/> Nontitle Registration				TAX OFFICE USE ONLY			
For a corrected title or registration, check reason: <input type="checkbox"/> Vehicle Description <input type="checkbox"/> Add/Remove Lien <input type="checkbox"/> Other:				County: _____ Doc #: _____ <input type="checkbox"/> SPV <input type="checkbox"/> Appraisal Value \$			
1. Vehicle Identification Number 1FAHP24167G154751	2. Year 2007	3. Make FORD	4. Body Style 4D SEDAN	5. Model FIVE HUNDRE	6. Major Color Gray	7. Minor Color	
8. Texas License Plate No. 02R9068	9. Odometer Reading (no tenths) 0	10. This is the Actual Mileage unless the mileage is: <input type="checkbox"/> Not Actual <input type="checkbox"/> Exceeds Mechanical Limits <input type="checkbox"/> Exempt		11. Empty Weight	12. Carrying Capacity (if any)		
13. Applicant Type <input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Trust <input type="checkbox"/> Non-Profit				14. Applicant Photo ID Number or FEIN/EIN			
15. ID Type <input type="checkbox"/> U.S. Driver License/ID Card (issued by: _____) <input type="checkbox"/> Passport (issued by: _____) <input type="checkbox"/> U.S. Citizenship & Immigration Services/DOJ ID				<input type="checkbox"/> NATO ID <input type="checkbox"/> U.S. Dept. of State ID <input type="checkbox"/> U.S. Military ID <input type="checkbox"/> U.S. Dept. of Homeland Security ID <input type="checkbox"/> Other Military Status of Forces Photo ID			
16. Applicant First Name (or Entity Name)		Middle Name		Last Name		Suffix (if any)	
17. Additional Applicant First Name (if applicable)		Middle Name		Last Name		Suffix (if any)	
18. Applicant Mailing Address 4829 MELINDA DR		City FORT WORTH		State TX	Zip 76119	19. Owner County of Residence TARRANT	
20. Previous Owner Name (or Entity Name)		City		State	21. Dealer GDN (if applicable)	22. Unit No. (if applicable)	
23. Renewal Recipient First Name (or Entity Name) (if different)		Middle Name		Last Name		Suffix (if any)	
24. Renewal Notice Mailing Address (if different)		City		State	Zip		
25. Applicant Phone Number (optional)		26. Email (optional)		27. Registration Renewal eReminder <input type="checkbox"/> Yes (Provide Email in #26)			
28. Vehicle Location Address (if different)		City		State	Zip		
29. Multiple (Additional) Liens <input checked="" type="checkbox"/> Yes (Attach Form VTR-257)		30. Electronic Title Request <input type="checkbox"/> Yes (Cannot check #29)		31. Certified/eTitle Lienholder ID Number (if any)		32. First Lien Date (if any)	
33. First Lienholder Name (if any) IVY FUNDING COMPANY LLC		Mailing Address 220 E. SEMINARY DRIVE, FORT WORTH, TX, 76115		City	State	Zip	
34. Check only if applicable: <input type="checkbox"/> I hold Motor Vehicle Retailer's (Retail) Permit No. _____ and will satisfy the minimum tax liability (V.A.T.S., Tax Code §152.046(c)) <input type="checkbox"/> I am a dealer or lessor and qualify to take the Fair Market Value Deduction (V.A.T.S., Tax Code, §152.002(c)) GDN or Lessor Number							
35. Trade-In (if any) <input type="checkbox"/> Yes (Complete)		Year	Make	Vehicle Identification Number		36. Additional Trade-In(s) <input type="checkbox"/> Yes	
37. Check only if applicable:							
(a) Sales Price (\$ _____ rebate has been deducted)		\$ _____		(b) Less Trade-In Amount, described in Item 35 above			
(c) For Dealers/Lessors/Rental ONLY - Fair Market Value Deduction, described in Item 35 above		\$ _____		(d) Taxable Amount (Item a minus Item b or Item c)			
(e) 6.25% Tax on Taxable Amount (Multiply Item d by .0625)		\$ _____		(f) Late Tax Payment Penalty <input type="checkbox"/> 5% or <input type="checkbox"/> 10%			
(g) Tax Paid to _____ (STATE)		\$ _____		(h) AMOUNT OF TAX AND PENALTY DUE (item e plus item f minus item g)			
(i) \$90 New Resident Tax - (Previous State)		\$ _____		(j) \$5 Even Trade Tax			
(k) \$10 Gift Tax - Use Comptroller Form 14-317		\$ _____		(l) \$65 Rebuilt Salvage Fee			
(m) 2.5% Emissions Fee (Diesel Vehicles 1996 and Older > 14,000 lbs.)		\$ _____		(n) 1% Emissions Fee (Diesel Vehicles 1997 and Newer > 14,000 lbs.)			
(o) Exemption claimed under the Motor Vehicle Sales and Use Tax Law because:		\$ _____		(p) \$28 or \$33 Application Fee for Texas Title (Contact your county tax assessor-collector for the correct fee.)			
CERTIFICATION - State law makes falsifying information a third degree felony I hereby certify all statements in this document are true and correct to the best of my knowledge and belief, and I am eligible for title and/or registration (as applicable).							
Signature(s) of Seller(s), Donor(s), or Trader(s)		Printed Name (Same as Signature)		Date			
Signature of Applicant/Owner		Printed Name (Same as Signature)		Date			
Signature(s) of Additional Applicant(s)/Owner(s)		Printed Name(s) (Same as Signature(s))		Date			

Form 130-U Rev 08/16

Form available online at www.TxDmv.gov

Page 1 of 2

REDACTIONS APPLIED TO THIS DOCUMENT

TitleMax_000001



Additional Liens Statement

Information

This form must be submitted with the *Application for Texas Title and/or Registration* (Form 130-U) when more than one lien needs to be recorded on the Texas title.

More than one lien cannot be recorded in combination with an electronic lien. If more than one lien is recorded, a paper title will be issued to the first lienholder listed on the *Application for Texas Title and/or Registration* (Form 130-U).

Vehicle Information

Vehicle Identification Number 1FAHP24167G154751	Year 2007	Make FORD	Body Style 4D SEDAN	Model FIVE HUNDRED
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Additional Lien Information

Second Lien	Lien Date 03/18/2017	Lienholder Name TitleMax of Texas, Inc. d/b/a TitleMax	Certified Lienholder ID Number	
	Mailing Address 220 E. SEMINARY DRIVE	City FORT WORTH	State Texas	Zip 76115
Third Lien	Lien Date	Lienholder Name	Certified Lienholder ID Number	
	Mailing Address	City	State	Zip

Certification – State law makes falsifying information a third degree felony

I certify the motor vehicle described above is subject to the these additional lien(s) in addition to the first lien recorded on the attached *Application for Texas Title and/or Registration* (Form 130-U).

Signature of Applicant/Owner

Signature of Additional Applicant/Owner (if any)

Printed Name (Same as Signature)

Date